MINUTES
UNIVERSITY OF HAWAI‘I BOARD OF REGENTS’ MEETING
January 10-11, 2008

I. CALL TO ORDER

Chairperson Allan R. Landon called the meeting to order at 9:15 a.m. on Thursday, January 10, 2008, at the University of Hawai‘i at Mānoa, Campus Center Ballroom, 2465 Campus Road, Honolulu, Hawai‘i 96822.

Regents in attendance: Chairperson Allan R. Landon; Vice Chair Andres Albano, Jr.; Byron W. Bender, Ph.D.; Michael Dahilig; Ramón de la Peña, Ph.D.; Marlene Hapai, Ph.D.; James J.C. Haynes, II; Kitty Lagareta; Ronald K. Migita; and Jane Tatibouet.

Others in attendance: President David McClain, Ph.D.; Vice President for Academic Planning and Policy Linda Johnsrud, Ph.D.; Vice President for Community Colleges John Morton, Ph.D.; Vice President for Administration Sam Callejo; Vice President for Budget and Finance/Chief Financial Officer Howard Todo; Vice President for Legal Affairs and University General Counsel Darolyn Lendio, Esq.; Vice President for Research Jim Gaines, Ph.D.; Vice President for Information Technology Services/Chief Information Officer David Lassner, Ph.D.; Interim Executive Administrator and Secretary of the Board Presley Pang, Esq.; and others as noted.

II. APPROVAL OF MINUTES

Chair Landon suggested clerical changes to the minutes of the meetings of September 27th, October 26th, and November 15th, 2007, and recommended their approval, as corrected.

Regent Lagareta requested that the October 26th minutes reflect her excused absence to participate in the WASC accreditation team for the University of California. Regent Hapai requested that the September 27th minutes reflect her excused absence for family matters. Chair Landon approved the excused absences.

Upon motion by Regent de la Peña and second by Regent Hapai, the minutes, as corrected, for all three meetings were unanimously approved.

III. RESOLUTION IN RECOGNITION OF THE UNIVERSITY OF HAWAI‘I AT MĀNOA FOOTBALL TEAM

Regent Dahilig submitted the following resolution in recognition of the accomplishments of the UH Mānoa Football Team:

“Whereas, the University of Hawai‘i Warriors Football Team completed its 2007 regular season unbeaten and won its first Western Athletic Conference 2007 title outright; and
Whereas numerous members of the Team have been recognized for their superlative performance; and

Whereas the Warriors Football Team was ranked tenth in the Bowl Championship Series rankings at the end of the season, and obtained an invitation to the 74th Allstate Sugar Bowl Classic in New Orleans, Louisiana, held on January 1, 2008; and

Whereas the Warriors Football Team represented our University and our State with distinction,

Now, therefore be it resolved by the Board of Regents of the University of Hawai‘i, that the Board extends its congratulations to the 2007 University of Hawai‘i Warriors Football Team, and expresses its sincere appreciation to the coaches and staff for their outstanding accomplishments.”

Regent Migita expressed his appreciation to the coaches and players for the outstanding football season.

Chair Landon commented that the team’s first-class effort reflected positively on the University and the State, and the resolution reflects the Board’s appreciation.

Upon motion by Regent Lagareta and second by Regent Tatibouet, the resolution was unanimously approved.

Student athlete Adam Leonard and Assistant Coach Rich Miano spoke on behalf of the team and coaching staff, and expressed their appreciation for the support they have received throughout the season, especially at the Sugar Bowl.

### IV. PUBLIC COMMENT PERIOD

Board Secretary Pang informed that the Board office received letters in support of the U.S. – China Center plan from: Phoebe Lambeth, President, Japanese Chamber of Commerce & Industry of Hawai‘i; from Kapena Lum, president of the UH Hilo Alumni and Friends Association; from Donald Ikeda, Hawai‘i County Council; and from Hui Ka‘ua, signed by president Harvey Tajiri.

A letter concerning athletic coaches agreement was received from Shannon Wood.

A letter from Professor Mary Tiles was received in support of the opposition to the proposed update on the roles and responsibilities of department chairs.

Oral testimonies:

1. **David Chin**, Chair of the Mānoa Faculty Senate, said that the Mānoa Faculty reviewed the proposed executive policy allowing tenure on initial appointment for faculty and voted to support section A. They voted to oppose section B, which is tenure on initial appointment for executive and exempt employees.

   Dr. Chin said that the faculty felt that if executives wished to be members of the faculty, they should go through the same procedure as incoming faculty to earn tenure on initial appointment. There should not be a separate procedure for executives and exempt employees.

   Dr. Chin addressed the policy on department chairs, saying that because departments are very diverse and vary greatly in number of faculty, the exact duties of
chairs vary greatly. The chairs are typically full-time faculty who do teaching and research, and many do not receive a reduction in teaching load. Many of the 25 listed duties are performed by the deans rather than the chairs. The duties should be listed in a system faculty handbook.

Regent Hapai commented that, on the issue of tenure on initial appointment for executives and exempt employees, there seemed to be a process, but it would be before the appointment instead of after, and asked Dr. Chin if this was still unsatisfactory. He responded that there are separate processes for faculty and for executives, and felt that there should be just one process applicable to both.

2. Shannon Wood spoke on the football coach’s employment agreement. She was disturbed over the situation with the football team and the athletic director and the split between the upper and lower campus. She asked that we move forward, and suggested that the Regents call a special meeting within the next ten days, to allow the public to attend and express their concerns. She said that only four substantive items should be addressed: accepting the Frazier buyout, setting in motion the athletic director search; ensuring the head football coach search is on track and moving quickly; allowing everyone to express their views on what the BCS money should be spent on; and establishing an athletic director search committee and a BCS distribution committee.

Regent Lagareta commented that funding is needed to maintain and improve facilities, and keeping even is not a good strategy at the Legislature. She said that the Legislature doesn’t have to balance the budget, whereas the Governor does.

Regent Lagareta said that the Board has spent hours working with the Administration to determine the priorities and how to meet them, and indicated her appreciation that these problems are receiving public attention.

Ms. Wood said that the general public prefers that funding goes to the public schools rather than the University. She would like to work with the University to secure funding, adding that there are others in the community who are also willing to assist.

3. J.N. Musto, Executive Director of the University of Hawai’i Professional Assembly (UHPA), addressed two items on the agenda. He said that on April 24, 2003, the University signed a 2003-2009 agreement between UHPA and the Board of Regents, which included a section on Appointment and Duties and Compensation for Academic Chairs. UHPA had decided that the duties of chairs should be addressed in a new, revised faculty handbook, allowing the participation of faculty senates and other groups. This was not done. Dr. Musto stated that UHPA opposes the adoption of an executive policy in lieu of implementing the contract provision.

UHPA has filed a union class grievance saying that the Administration is in violation of the contract for not implementing this particular article and language. Dr. Musto expressed his hope that an amicable, informal resolution would be found.

Dr. Musto addressed the issue of an executive policy of tenure upon initial employment, indicating that UHPA supports this. However, his concern is that the application of that tenure status be administered without exposing the University to discrimination charges. The policy says that the question of eligibility for tenure may not be advertised.
UHPA is formally opposed to an executive policy that would grant immediate tenure to an executive appointment for an individual who has not been appointed through rising up from the faculty ranks. It may or may not be appropriate for someone from outside the University to have tenure in an academic department. Dr. Musto said that the process of granting tenure to an executive should allow at least a year of decision before Board approval, and that the granting of tenure should not be the golden parachute for administrators who fail.

Dr. Musto recommended separate policies for internal and external executives.

He commented that the Board of Regents has strictly retained the privilege of the granting of tenure. The proposed policy would delegate the granting of tenure to the President. This changes the expectations, rules, and the basis of many arguments that the Board and UHPA has had over the last 30 years.

President McClain commented that the proposed policy on department chairs is a result of suggestions from Professor Mary Tiles in 2005. He noted that Professor Tiles’ letter of today suggests something different. Vice President Johnsrud will address this matter later in the meeting.

4. Tom Brislin, Co-Chair of the Mānoa Council of Chairs, said that the Council feels that the duties of academic chairs should be set forth in a revised UH system faculty handbook, as stated in the UHPA/UH BOR agreement, rather than in an executive policy. The Council stands ready to assist the Administration in preparing such a handbook.

V. REPORT OF THE PRESIDENT

President McClain asked UH Mānoa Chancellor Virginia Hinshaw to update the Board on campus activities.

Chancellor Hinshaw spoke of her pride in the campus for the work that resulted in the Sugar Bowl participation, and thanked the fans for their support.

Chancellor Hinshaw shared a visual presentation of the campus facilities, focusing on areas needing improvements. She described in detail the infrastructure problems of the campus and reported on areas of progress, such as an annual savings of $1.3 million due to electrical upgrades. Frear Hall is on time and on budget. She cited other areas of improvement and advancement and noted that the State will not be able to solve all our issues, so it is critical to receive private support.

She said that the athletics experience generated great waves of pride, but we must maintain that momentum into the second century.

VI. REPORT OF THE UNIVERSITY OF HAWAI'I FOUNDATION

Foundation President Donna Vuchinich reported that the campaign has reached $204 million, of which $153 million has been committed to UH Mānoa.

Scholarship awards funded by Foundation accounts are close to $1.5 million.
President Vuchinich shared detailed fiscal data via handouts, and expressed her appreciation for the support from the Regents and donors. President McClain commented that it is hoped that the $250 million goal is reached this year before the end of the campaign in mid 2009.

VII. ITEMS FOR BOARD ACTION

Approval of Land Transaction with State Department of Transportation

Regent Dahilig recused himself from this agenda item.

UH West O'ahu Chancellor Gene Awakuni requested approval of the conveyance of three land parcels to the State Department of Transportation to complete the north and south roads for the new campus in Kapolei. He also requested that the Board authorize the President and the Chancellor to finalize and execute any documents related to the conveyance. He noted that this action would supersede the action the Board took in September 2005, where authorization for the conveyance was granted but was never executed.

Chancellor Awakuni said that in 2005, a four-way interchange was not planned. However, the Campus needs that interchange for access and to develop the mauka property. The Campus will pay a prorated share of the cost of developing the utility infrastructure, such as water line transmission, the electrical conduits under the north and south roads, and the stub-outs for sewers.

Chancellor Awakuni noted that if the DOT did not agree to this arrangement, the Campus would have to wait two years beyond the completion of the road. Also, the DOT does not allow any contractor other than the one hired to work on the project to make these improvements.

In response to Regent Haynes’ question on the cost sharing, Chancellor Awakuni said that the cost has not yet been finalized for the utility lines, but the estimates for the sewer lines and water tank are about $9 million. There is no obligation for the four-way interchange, since the land is being traded for the development of the interchange.

Upon motion by Regent Lagareta and second by Regent Tatibouet, the land transaction was unanimously approved, with the recusal of Regent Dahilig.

Regent Dahilig returned to the meeting.

Approval of Amendments to Lease with Faulkes Telescope Corporation (Haleakalā, Maui) and Assignment of Lease, as Amended to Las Cumbres Observatory Global Telescope

UH Mānoa Vice Chancellor Gary Ostrander explained that the Faulkes Telescope was run by a British organization, which is being bought by Las Cumbres. The request is to approve indemnification amendments, to shift the lease to Las Cumbres, and to authorize the President to sign and execute this agreement.
Upon motion by Regent Lagareta and second by Regent Dahilig, the amendments were unanimously approved.

Approval of Indemnity Provision — California Institute of Technology

Vice Chancellor Ostrander explained that NASA has awarded a contract to Cal Tech and asked for indemnification from the University since the individual selected to work on this project is with the Institute for Astronomy. The research will be focused on protoplanetary disks and the mapping of nearby molecular clouds as part of the Spitzer Legacy Project. The work is basically data analysis; no U.S. government property is used.

Upon motion by Regent Tatibouet and second by Regent Haynes, the Indemnity Provision was unanimously approved.

Approval of Indemnity Provision — Arizona State University

Vice Chancellor Ostrander explained that the individual selected to work on this project is with the Hawai‘i Institute of Geophysics and Planetology. Arizona State University is requesting indemnification. The University has $4 million coverage.

Upon motion by Regent Tatibouet and second by Regent Haynes, the Indemnity Provision was unanimously approved.

Approval of CIP and R&M Project Contracts for 3rd Quarter

Vice President for Administration Sam Callejo requested approval for 9 professional services contracts and advertising bids for 14 construction contracts. The 9 professional services contracts include 4 for Mānoa; 4 for the Community Colleges; and 1 for the System. The 14 construction projects include 7 for Mānoa; 5 for Hilo; and 2 for the Community Colleges.

Regent Lagareta asked how many projects and contracts are approved by the Board annually for repair and maintenance. Vice President Callejo said that there are hundreds. Regent Lagareta said that the Board goes through a process on where the funds need to be spent, looking at it from health and safety. This process goes on constantly.

Chair Landon suggested that a semi-annual status report on progress against our backlog will demonstrate effective use of funds.

Upon motion by Regent Dahilig and second by Regent Tatibouet, the CIP and R&M contracts for the 3rd quarter were unanimously approved.

Acceptance of Quarterly Performance Reports of the UH Endowment Fund

Chair Landon recused himself from this agenda item.

Peter Backus, CFA of Smith Barney, reported that there will be very slow growth bordering on a recession, but the pace will pick up towards the end of the year. Two
negatives in the economy are the fallout of housing and the subprime issues, and the higher energy prices.

Mr. Backus reported that, through September 2007, the endowment funds were up 6.5 percent, which is slightly beneath the benchmark of 7 percent.

Regarding individual investment managers, the growth equity manager was replaced by two new equity managers.

All managers performed slightly ahead of expectations, except the international equities, underperforming slightly. The international manager, Brandeis, favored Asian investments, which caused the underperformance. Heavier investments in Europe would have resulted in a stronger performance.

Overall, performance is up 11 percent over the year, and 20 percent over last year. Mr. Backus said that about half the returns of international equities over the last two years have been because of the weakness of the dollar. The benchmark most financial managers use is invested 75 percent in Europe, so the dollar has gone from $.87 to $1.50 at its peak against the Euro. These are currency gains on top of what is made in the local stocks of those investments.

Mr. Backus reported that there was a fairly substantial reduction of fees paid on the rest of the fixed income portfolio because Smith Barney was no longer a balanced account.

Regent Haynes asked if the definition of a recession is negative growth. Mr. Backus responded that the definition is back-to-back quarters of negative GDP.

Regent Haynes asked where Mr. Backus saw short and long rates going this year. Mr. Backus replied that he sees a rate of 3.5 percent on federal funds before summer, possibly going as low as 3.25 to 3.00 percent by the middle to end of summer. T-bill rates are about 2.8 percent.

Upon motion by Regent Lagareta and second by Regent Tatibouet, the quarterly performance reports of the UH Foundation were unanimously approved, with the recusal of Chair Landon.

Chair Landon returned to the meeting.

*The meeting was recessed and resumed at 11:05 a.m.*

**University of Hawai‘i Quarterly Financial Status Report — Information Only**

Vice President for Budget/Chief Financial Officer Howard Todo noted that, in response to Chair Landon’s recommendations, the report now includes references to the analytical comments on the actual financial statements.

Vice President Todo reported that the University’s financial status continues to be very strong and continues to show improvement.
Regent Migita asked if the employee head count is cyclical, which Vice President Todo confirmed, elaborating that lecturers are terminated in the fourth quarter, then hired in the next quarter, accounting for a significant increase.

Regent Hapai questioned the decrease in endowment investments. Vice President Todo explained that endowments fluctuate, based on their usage. Chair Landon said that the application of funds brings down the investments.

**Approval to Amend BOR Policy, Chapter 9, Part II, Section 9-14 (c)(2)(f), Executive/Managerial Personnel Policies**

President McClain proposed to shorten the written notice period for non-reappointment and reassignments from 12 to 6 months for those executive employees who have no return rights to another university position. This makes the policy more consistent with private sector policies. If approved, it takes effect immediately and affects all executives.

Regent Dahilig asked if the University is at risk for executives who were hired under the 12-month policy. President McClain responded that Office of Human Resources and University attorneys have been consulted. Because executives are at-will employees, the Administration believes the University is not at risk.

In response to Regent Hapai’s query, President McClain explained that generally, executives are on a year-to-year appointment and are evaluated each spring. If the executive receives an unsatisfactory evaluation, he/she may or may not be terminated. If the executive does not have a fallback position, there is a 12 month period, during which he/she is reassigned to other duties. During that period, the executive will seek another position. This amendment shortens the period to six months to enhance the University’s flexibility.

In response to Regent Dahilig’s question, the President said that almost half of the currently 200 executives have fallback positions.

Chair Landon observed that the number of executives affected by this policy will be small because the majority of administrators are performing well and should be retained.

Vice Chair Albano moved to amend the policy Part II, Section 9-14(c)(2)(f) to reduce notice from 12 to 6 months for those executives without return rights to another university position. Regent Lagareta seconded the motion.

Regent Lagareta commented that when there is someone not doing the job and staying on too long, there is an equity issue with the people who have to deal with that every day.

The motion was carried, with opposition by Regent Dahilig.

**Executive Session**

Regent Tatibouet moved to go into executive session, pursuant to HRS §92-5(a)(4); HRS §92-5(a)(3); and HRS §92-5(a)(2), to discuss legal and real estate
matters, and personnel actions, seconded by Vice Chair Albano. The motion was unanimously approved. At 11:30 a.m., the Regents went into executive session.  

*The meeting was reconvened at 4:37 p.m.*

**VII. ITEMS FOR BOARD ACTION (cont.)**

**Acceptance of Audit Report on UH Mānoa Athletics (Agreed-upon Procedures)**  
Chair Landon said that the Audit Report comprises three sections. The Board will defer action on two of those sections related to the financial statements and the Internal Control and Business Issues pending review by the Board’s Committee on University Audits.

Vice President Todo reported that the on Agreed-Upon Procedures section for the UH Mānoa Athletics Department is an annual report required by NCAA. There were no instances of non-compliance.

Upon motion by Regent de la Peña and second by Regent Haynes, the Agreed-Upon Procedures report was unanimously accepted.

**Consideration of Hawai‘i Public Television Lease**  
This item was deferred.

**Authorization Regarding UH Mānoa Head Football Coach’s Employment Agreement**  
This item was deferred.

**Approval of Amended and Restated U.S. – China Center Lease**  
Regent Migita recused himself from this item.

General Counsel Lendio said the project will include student housing; a commercial, retail component; a hotel; and a U.S. – China Center on the 36 acres adjacent to the UH Hilo campus. The terms are memorialized in an amended and restated ground lease that supersedes the prior ground lease executed in 2003.

Regent Hapai expressed her thanks to everyone who worked on this project.

Upon motion by Regent Lagareta and second by Regent Hapai, the amended and restated ground lease was unanimously approved, with the recusal of Regent Migita.

Regent Migita returned to the meeting.
Approval to Amend BOR Policy, Chapter 9, Section 9-1(a)(3), Department Chairs, and Section 9-1(a)(4), Special Program Directors and Chairs of Academic Subdivisions

Vice President for Academic Planning and Policy Linda Johnsrud explained that the duties of the academic chairs have not been updated since 1988. The proposed amendments remove the detail from Board policy and set them in a new executive policy.

Vice President Johnsrud said that UHPA contract provided that the duties and responsibilities of academic chairs were to be set forth in a revised UH faculty handbook. In a January 2005 letter, UHPA President Mary Tiles informed President McClain that “revising the faculty handbook...would be a daunting task,” and said that “The articulation of the duties of the academic chairs should not wait.”

Based on Dr. Tiles’ comments, the Administration updated the roles and responsibilities of the chairs in the form of amendments to Board and executive policies. The revisions reflect current practice and do not expand the duties. The policy makes it clear that, although there are more duties and responsibilities listed than previously, not every duty is relevant to every department or division chair.

The list of duties and responsibilities was delineated after extensive consultation with UHM’s Council of Chairs, the Administration, as well as with UHPA’s Executive Director and current president. However, the matter of placement in a faculty handbook or in executive policy was not discussed.

Dr. Mary Tiles addressed the Regents to clarify her letter to President McClain. She said that she recommended that President McClain authorize representatives to enter into a memorandum of agreement (MOA) with UHPA, to address the duties of academic chairs. She requested that this matter be part of the collective bargaining process, which is different from including the duties in Board or executive policy.

Vice President Johnsrud explained that Dr. Tiles’ letter did recommend an MOA. Since an MOA requires negotiations, and because the roles and responsibilities of chairs have never been negotiated, Vice President Johnsrud initially drafted new Board policies. Because of the length of the revision, she subsequently removed the revision from Board policy and placed them in executive policy.

Regent Bender expressed his concern that what is now being recommended does not comply with what has been contractually agreed to. He indicated that he would vote against this amendment.

Dr. Tiles said that the faculty handbook, which was last revised in the 1970s, is referred to in the contract. Any succeeding document has to be integrated and part of the collective bargaining. In her view, amending executive policy cannot displace the contract process.

Ed Yuen, former Director of Human Resources, was asked to provide his interpretation on this matter. He said that the University did agree that the duties and responsibilities of chairs would be set forth in a revised faculty handbook. He did not think those duties and responsibilities were negotiable, which was what UHPA wanted.

Regent Hapai felt that she is not ready at this time to consider this matter.
General Counsel Lendio explained that a class grievance is an internal type of grievance involving internal arbitration between parties. A prohibited practice complaint is a contested case before the Hawai‘i Labor Relations Board. UHPA filed a class grievance against the University on January 8th, 2008. General Counsel Lendio offered to discuss this matter with the Board in executive session.

When asked to clarify his opposition, Regent Bender said the current contract agrees to treat this matter in a certain way, which is not the way that is now being proposed.

Martha Crosby, Co-Chair of the Council of Chairs, commented that the Council objects to not having the duties and responsibilities in the faculty handbook, as stipulated in the UHPA contract. The Council is willing to work on the handbook.

Chair Landon asked if it would be acceptable to the Council if the amendments were adopted with the understanding that the duties and responsibilities also are included in the handbook. Dr. Crosby responded that it would still be in executive policy, which is not the appropriate place. She said the chairs are not administrators but faculty, so their duties should be in a faculty handbook and not in an executive policy.

Regent Dahilig suggested that the handbook could refer to the executive policy. Dr. Crosby disagreed.

Regent Bender commented that the handbook was written before the days of collective bargaining, and faculty participated in its creation. It wasn’t handed down as executive or Regent policy.

UHPA Associate Executive Director Kristeen Hanselman explained that the class action grievance filed by UHPA responds to the University’s attempt to circumvent an agreement. When issues arise in implementing a part of a contract, a memorandum of understanding is sometimes used, which is binding like a contract.

Vice President Johnsrud reiterated that she understood that the Administration and the Board do not agree to negotiate the chairs’ roles and responsibilities. She felt that the roles and responsibilities are more appropriately established by executive policy.

Chair Landon suggested that the roles and responsibilities could be a supplement to Board policy. Vice President Johnsrud responded that there appeared to be a misunderstanding of the term “executive.” Executive policy is not just about executives—it merely means that the President can promulgate it.

Regent Lagareta said that she did not want to include the duties in collective bargaining or in executive policy. She asked what would be the effect of withdrawing the proposal. Vice President Johnsrud noted that she and her staff spent a lot of effort on this matter, and would prefer that it be placed somewhere.

Regent Hapai suggested deferral of this matter until the Administration and UHPA can come to an agreement. President McClain said that this matter was deferred from the November 2007 meeting, and discussions have since occurred with faculty and UHPA.

Chair Landon deferred the requested action.
Approval to Amend BOR Policy, Chapter 9, Section 9-1(b), Faculty Promotion and Tenure

The President requested that the Board delegate to the President the authority to grant tenure upon initial appointment to faculty and classified executives who have previously held tenure at comparable institutions, which will increase competitiveness in recruiting faculty and executives. Under current policy, only expedited tenure can be offered. This procedure involves submitting a full dossier for a review that may not be concluded until well into or after the first year of hire. This practice puts the University at a competitive disadvantage when negotiating to hire faculty and executives who hold tenure positions elsewhere.

Tenure upon appointment would not be automatic. The policy provides guidelines for a process to be followed. In each case, the review would be based on the materials submitted as part of the search process. Those materials would be reviewed by faculty in the department or unit that would grant tenure.

Subject to approval of the President, tenure upon initial appointment could then be part of the offer to hire. In the case of unclassified executives, Board approval is required.

The Administration consulted with the Council of Chancellors, the Council of Chief Academic Officers, all Council Faculty Senate Chairs, and UHPA. The proposal was revised to reflect their suggestions.

Regent de la Peña asked if other universities have this practice. The President affirmed, reporting that a survey found that 95 percent of UH Mānoa’s peer institutions offered tenure upon appointment, and 100 percent of the benchmark institutions offered it.

Regent Haynes asked if this process is strictly for recruiting, and whether the standard process is still used for regular faculty. Vice President Johnsrud affirmed.

Regent Migita said that there appears to be an inconsistency. The Board will delegate the granting of tenure to the President for executives, but regular faculty tenure must be approved by the Board. Vice President Johnsrud explained that the reason for presidential delegation is because the Board is now doing transactions every other month. The Administration needs to provide an offer quickly. The process would be expedited if the President could grant tenure to individuals who hold tenure at comparable institutions. This only applies to academic administrators, and honors the tenure that individuals have received and would bring to the University.

Regent Hapai commented that it’s very important that the department personnel committee review the credentials.

Regent Dahilig suggested more specificity regarding what is a comparable institution. Vice President Johnsrud explained that the comparability would be the campus at which the individual is being hired, i.e., from a community college to a community college, or a research university to a research university. Vice President Johnsrud will add this to the amendment.

Upon motion by Regent Dahilig and second by Regent de la Peña, the amendment was approved, with an abstention by Regent Lagareta.

Vice President for Research Jim Gaines reported that for the month of September 2007, $62.4 million was received, with UH Hilo receiving $1.5 million. For the month of October 2007, $24 million was received, with $1.6 million for UH Hilo. For the first six months of the year, $200 million was received, which is on pace with last year.

Upon motion by Regent Dahilig and second by Regent Haynes, the gifts, contracts, and grants were unanimously approved.

IX. APPROVAL OF APPOINTMENTS, CHANGES IN APPOINTMENTS, LEAVES OF ABSENCE, PROMOTION, TENURE, WAIVER OF MINIMUM QUALIFICATIONS, EMERITUS TITLES, SHORTENING OF PROBATIONARY PERIOD, SALARY ADJUSTMENTS, POSITION ACTIONS, CLASSIFICATION, PRICING (ATTACHMENT B)

Upon motion by Regent de la Peña and second by Regent Dahilig, Attachment B was unanimously approved.

V. REPORT OF THE PRESIDENT (cont)

President McClain has instituted the Elephants Can Dance award to staff, based on former IBM CEO Lou Gerstner, who led IBM through dramatic change and in so doing debunked the myth “Who says elephants can’t dance.”

The first recipient, Barbara Kawamoto, received the award at the Council of Chancellors’ meeting. Ms. Kawamoto spearheaded efforts to create and implement the systemwide e-commerce initiative and she exemplifies what it takes to make elephants dance. Over 40,000 students use this customer-oriented payment plan system to better manage their limited financial resources.

President McClain updated the football coach search. The position was advertised on Monday; the composition of the search committee will be announced either later today or tomorrow, which will be co-chaired by Chancellor Hinshaw and Acting Athletics Director Carl Clapp. The first review of applicants will be January 15, 2008. The salary will be a mix of general funds, athletic department revolving funds, and donations. The President noted that not all pledges are fulfilled. Nā Koa Football Booster Club pledged $875,000 toward June Jones’ salary, but has been able to collect only about $455,000.

President McClain noted that the University has remarkable scholars with national and international reputations who are continuously being recruited by other universities. They are always doing their jobs, faced with resource constraints. The University is able to retain many of them, as evidenced by our rise in national rankings and scholarly and research achievements. Some choose to leave, but rarely are their departures noted in the media.

President McClain reported that an academic leader from another university has chosen to make his professional home at the University of Hawai‘i. The Board has just
approved the appointment of Dr. Jerris Hedges as Dean of the John A. Burns School of Medicine, effective March 1, 2008.

Regent Lagareta noted that Ms. Kari Wilhelm, the University’s Risk Manager, recently passed away. A trust fund has been established for Ms. Wilhelm’s daughter.

**X. NEXT MEETING**

Chair Landon announced that the next meeting will be on February 15, 2008, at Kapiʻolani Community College.

**XI. ADJOURNMENT**

Upon motion by Regent Haynes and second by Regent Lagareta, adjournment was unanimously approved, and the meeting was adjourned at 5:35 p.m.

Respectfully Submitted,

Presley Pang, Esq.
Interim Executive Administrator and Secretary of the Board